

Office of Administrative Hearings

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Description	FY 2003 Approved	FY 2004 Proposed	% Change
Operating Budget	\$300,000	\$6,324,453	2,008.2

The mission of the Office of Administrative Hearings is to enhance the quality of life in the District by providing citizens with a fair, efficient, and effective system to manage and resolve administrative litigation arising under District law.

The Office of Administrative Hearings (OAH) was created by the Office of Administrative Hearings Establishment Act of 2001. This law addressed the need to modernize and improve administrative adjudication in the District of Columbia so that citizens and persons doing business will consistently receive high-quality, fair, impartial, and efficient hearings in administrative litigation. OAH will unify the adjudicative functions of several agencies in FY 2004, including:

- **Department of Health** - administrative litigation relating to health care facilities, health professional licensing, and environmental regulatory violations.

- **Department of Mental Health** - administrative litigation relating to health and safety regulations for group homes for the mentally ill and other facilities.
- **Department of Human Services** - administrative litigation relating to public benefits.
- **Child and Family Services** - administrative litigation relating to licensing and enforcement matters for regulated homes and other facilities.
- **Board of Appeals and Review** - administrative litigation relating to Medicaid provider reimbursements, Metropolitan Police Department licensure decisions relating to private detective, and a variety of other regulatory matters.
- **Department of Motor Vehicles (Office of Public Space Adjudication)** - administrative litigation relating to violations of the Litter Control Administration Act of 1985 and the Illegal Dumping Enforcement Act of 1994
- **D.C. Public School** - administrative litigation relating to special education require-

Did you know...

OAH administrative cases expected to be filed annually	15,000
States and major cities with central administrative hearing agencies	28

Where the Money Comes From

Table FS0-1 shows the sources of funding for the Office of Administrative Hearings.

Table FS0-1

FY 2004 Proposed Operating Budget, by Revenue Type

(dollars in thousands)

	Actual FY 2001	Actual FY 2002	Approved FY 2003	Proposed FY 2004	Change From FY 2003	Percent Change
Local Fund	0	0	300	5,864	5,564	1,854.8
Total for General Fund	0	0	300	5,864	5,564	1,854.8
Intra-District Fund	0	0	0	460	460	100.0
Total for Intra-District Funds	0	0	0	460	460	100.0
Gross Funds	0	0	300	6,324	6,024	2,008.2

How the Money is Allocated

Tables FS0-2 and 3 show the FY 2004 proposed budget for the agency at the Comptroller Source Group level (Object Class level) and FTEs by fund type.

Table FS0-2

FY 2004 Proposed Operating Budget, by Comptroller Source Group

(dollars in thousands)

	Actual FY 2001	Actual FY 2002	Approved FY 2003	Proposed FY 2004	Change from FY 2003	Percent Change
11 Regular Pay - Cont Full Time	0	0	172	3,255	3,083	1,791.9
12 Regular Pay - Other	0	0	0	281	281	100.0
13 Additional Gross Pay	0	0	0	40	40	100.0
14 Fringe Benefits - Curr Personnel	0	0	27	640	613	2,255.3
Subtotal Personal Services (PS)	0	0	199	4,217	4,017	2,016.4
20 Supplies and Materials	0	0	2	100	98	4,661.9
30 Energy, Comm. and Bldg Rentals	0	0	2	0	-2	-100.0
31 Telephone, Telegraph, Telegram, Etc	0	0	1	124	123	24,696.4
32 Rentals - Land and Structures	0	0	60	1,274	1,214	2,023.6
33 Janitorial Services	0	0	2	14	12	613.3
34 Security Services	0	0	2	17	15	756.1
40 Other Services and Charges	0	0	8	115	107	1,337.5
41 Contractual Services - Other	0	0	20	98	79	397.0
70 Equipment & Equipment Rental	0	0	4	300	296	7,403.2
80 Debt Service	0	0	0	65	65	100.0
Subtotal Nonpersonal Services (NPS)	0	0	101	2,108	2,007	1,991.8
Total Proposed Operating Budget	0	0	300	6,324	6,024	2,008.2

Table FS0-3

FY 2004 Full-Time Equivalent Employment Levels

	Actual FY 2001	Actual FY 2002	Approved FY 2003	Proposed FY 2004	Change from FY 2003	Percent Change
General Fund						
Local Fund	0	0	2	51	49	2,023.0
Total for General Fund	0	0	2	51	49	2,023.0
Intra-District Funds						
Intra-District Fund	0	0	0	6	6	100.0
Total for Intra-District Funds	0	0	0	6	6	100.0
Total Proposed FTEs	0	0	2	57	55	2,345.5

ments under federal and local law (special education cases).

In FY 2005, the adjudicative functions in the following agencies will also be consolidated into OAH:

- **Department of Employment Services** - administrative litigation relating to unemployment insurance determinations.
- **Taxicab Commission** - administrative litigation relating to taxi licensure and regulation.
- **Department of Consumer and Regulatory Affairs** - administrative litigation relating to non-health professional licensing, rental housing, and building code and other regulatory violations.
- **Office of Tax and Revenue** - administrative litigation relating to tax disputes other than those arising from taxation of real property.

The Office is headed by a Chief Administrative Law Judge appointed by the Mayor with the advice and consent of the District Council. A Commission on the Selection and Tenure of Administrative Law Judges will ensure the recruitment and retention of well-qualified and effective corps of Administrative Law Judges in the office.

The agency plans to fulfill its mission by achieving the following strategic result goals:

- Balance and maintain fairness, quality and efficiency in a dynamic operational environment.

- Recruit administrative law judges and staff to fit OAH's reform model while promoting professional development and retention.
- Provide outreach to government agencies, the community, the bar, and other stakeholders.
- Enhance the order compliance system to promote greater health and safety in our community.
- Integrate new programs successfully into the new office.

Gross Funds

The proposed budget is \$6,324,453, representing an increase of 2008.2 percent from the FY 2003 approved budget of \$300,000. There are 57.50 total FTEs for the agency, an increase of 55.50 FTEs over FY 2003.

General Fund

Local Funds. The proposed budget is \$5,864,474, representing an increase of \$5,564.474 or 1,854.8 percent over the FY 2003 approved budget of \$300,000.

There are 51 FTEs funded by Local sources, representing an increase of 49 FTEs from the FY 2003 approved level of 2.0 FTEs.

Changes from the FY 2003 approved budget are:

- An increase of \$2,840,445 in personal services to reflect the transfer of 40.46 FTEs associated with the adjudicative functions of several agencies to OAH in FY 2004.

- An increase of \$689,301 for nonpersonal services to reflect the transfer of funds from several agencies to OAH as the agency assumes additional adjudicative functions.
- An increase of \$1,274,174 for increased rent costs due to agency expansion.
- A decrease of \$139,446 in personal services reflecting a gap closing measure for FY 2004.
- An increase of \$900,00 in personal services reflecting a mayoral enhancement to support the consolidation of the hearing function, including administrative costs. This increase, along with the transfer of funding from other agencies, supports an additional 8.59 FTEs.

Intra-District Funds

The proposed budget is \$459,979 for this new agency.

There are 6.45 FTEs funded by Intra-District sources.

Changes from the FY 2003 approved budget are:

- An increase of \$416,277 for personal services to reflect the transfer of 6.45 FTEs associated with the adjudicative functions of several agencies to OAH in FY 2004.
- An increase of \$43,702 for nonpersonal services to reflect the transfer of funds from several agencies to OAH as the agency assumes additional adjudicative functions.

Programs

In 1999, the Department of Health was selected as the host agency for a mayoral pilot program for the OAH. Since its inception, OAH has been recognized for innovative approaches to reforming the District's system of administrative adjudication in a manner that promotes decision quality, fairness, and accountability. In early 2001, legislation was introduced to create a permanent independent Office of Administrative Hearings that would build upon the reforms of the pilot program in areas such as case management, decision quality, information technology, and appointment reform. The final bill — known as the Office of Administrative Hearings Establishment Act — passed the Council unanimously and became effective as D.C. Law 14-76 on March 6, 2002. The act creates a comprehensive

statutory structure that institutionalizes and expands OAH's administrative adjudication reforms.

OAH exists as an autonomous and impartial administrative tribunal for hearing administrative litigation involving more than 25 District agencies, boards, commissions, and touching areas ranging from environmental and health care to public benefits and special education.

Agency Goals and Performance Measures

Goal 1: Percentage of case dispositions within 90 days of record closure

Citywide Strategic Priority Area(s): Making Government Work

Manager(s): Paul Klein, Interim Chief
Administrative Law Judge

Supervisor(s): Paul Klein, Interim Chief
Administrative Law Judge

Measure 1.1: Percentage of case dispositions within 90 days of record closure

	Fiscal Year				
	2001	2002	2003	2004	2005
Target	N/A	N/A	90	90	90
Actual	N/A	N/A	-	-	-